

Exhibit 1

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH, CENTRAL DIVISION**

ROBERT AND RENEE WAAS, individuals,

Plaintiffs,

v.

RED LEDGES LAND DEVELOPMENT INC., a
Florida corporation, an individual,

Defendant.

DECLARATION OF PAUL T. MOXLEY

Case No. 2:20-CV-00580-TC

Judge Tena Campbell

I, Paul T. Moxley, hereby declare and state as follows:

1. I am an individual over the age of eighteen (18) and am competent to testify to the matters set forth herein. If called as a witness, I could and would testify from my own personal knowledge regarding the matters set forth in this Declaration.

2. I am licensed by the State of Utah to practice law, I am admitted to practice before this Court, and I have been practicing law for over 45 years. I have extensive litigation and trial experience, particularly in complex civil matters, and involving disputes such as those involved in this case.

3. I am a shareholder with the law firm of Cohne Kinghorn, P.C. ("Cohne Kinghorn").

4. I was a member of the Utah State Bar Commission from 1989-1995. I was President of the Utah State Bar from 1994-1995. I received the Utah State Bar's Distinguished Lawyer of the Year Award for 2009-2010. I have been involved in American Bar Association ("ABA") governance since 1996.

5. Because of my personal litigation experience, my personal associations, and through my various professional roles with the Utah State Bar and with the ABA, I am aware of legal billing rates generally and legal billing rates in the Salt Lake City market specifically.

6. I am aware that Brent Hatch's standard hourly rate is \$750, which is at the top, but within the rates charged by senior partners with sophisticated litigation practices in the Salt Lake City market. I have been informed that Mr. Hatch has provided a discounted rate of \$650 in this case, and that places him even further within the market of other Salt Lake City attorneys.

7. I am aware of and have verified other Salt Lake City firms with senior partners who charge higher or comparable rates than Mr. Hatch, ranging from \$795 per hour to \$600 per hour, some of which I have been informed were approved by this Court as appropriate in past fee requests.¹

8. Based on my experience and awareness of what partners at other law firms charge in the Salt Lake City market, I believe a billing rate of \$650 per hour is reasonable for a senior partner, such as Mr. Hatch, practicing complex commercial litigation.

9. I have been informed that Tyler V. Snow's billing rate is \$400 hour in this case. I understand that until one year ago he was an equity shareholder at Christensen & Jensen, P.C. In my opinion Mr. Snow's hourly rate of \$400 is well within the Salt Lake City market.

10. It is my opinion that Hatch Law Group PC's professional hourly rates are reasonable generally and are reasonable for this type of case, which I understand is a breach of contract matter involving sophisticated parties with sophisticated counsel on both sides.

¹ The firms of which I am aware include Ray Quinney & Nebeker (\$750), Holland & Hart (SL Office) (\$650), Ballard Spahr (SL Office) (\$795), Dorsey & Whitney LLP (SL Office) (\$775), Snow Christensen & Martineau (\$600+), Magleby Cataxinos & Greenwood (\$665), Snell & Wilmer (SL Office) (\$710), and Stoel Rives (\$755).

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury under the laws of the United States and the State of Utah that the foregoing is true and correct.

DATED this 9th day of April, 2021.

By: /s/ Paul T. Moxley
Paul T. Moxley